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| MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE | | EFFECTIVE DATE 11/30/2020 | NUMBER 06.02.110 |
| SUBJECT SUPERVISION FEES | | SUPERSEDES 06.02.110 (01/13/2003) | |
| | | AUTHORITY MCL 762.13; 771.1; 771.3; 771.3c; 775.22; 791.225a, 791.236; 791.236a; Public Acts of 2019 - No. 164 and No. 165 | |
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POLICY STATEMENT:

Supervision fees shall be collected from offenders under community supervision as set forth in this policy.

POLICY:

GENERAL INFORMATION

- A. Michigan Public Act 164 and 165 of 2019 set forth supervision fee rates for parolees and probationers effective March 19, 2020. The supervision rate is \$30.00 per month for individuals placed on supervision without an electronic monitoring device and \$60.00 per month for individuals placed on supervision with an electronic monitoring device. Electronic monitoring devices include tether, an alcohol monitoring unit, or Global Positioning Satellite (GPS).
- B. Parolees and probationers, including those on probation under the Holmes Youthful Trainee Act (HYTA) and Delay of Sentence cases, are required to pay a supervision fee for that period of time that they are ordered to be on supervision. This does not apply to offenders placed on probation pursuant to MCL 769.4a for domestic violence or MCL 750.350a for parental kidnapping. This policy does apply to offenders placed on probation for those offenses pursuant to MCL 771.1 or MCL 771.3.
- C. An offender shall not be subject to more than one parole and/or circuit court supervision fee at the same time. If a supervision fee is ordered for an offender for any month during which that offender already is subject to a supervision fee, the offender shall be required to pay only the fee with the longest remaining duration.
- D. The payment of the supervision fee shall take precedence over the payment of all other Michigan Department of Corrections (MDOC) debts of the offender, except for parole loans, while the offender is on parole or probation.

IMPOSITION OF SUPERVISION FEES

- E. During the completion of the Presentence Investigation Report (PSIR), a supervision fee amount of \$30.00 per month shall be recommended for probation supervision without an EM or \$60.00 per month for supervision with an electronic monitoring device. The amount recommended shall not exceed 60 months for probation supervision, 36 months for HYTA, and 12 months for Delayed Sentence. If the Agent does not recommend probation but it is ordered by the court, the Agent shall recommend to the court that it issue an amended probation order to include payment of the appropriate supervision fee as a condition of probation.
- F. During the initial orientation, the supervising Agent shall complete the Supervision Fee Notice (CFJ-180) and have the offender sign it during the orientation. The agent shall place the notice in the offender's local field office file and enter a case note in the department's computerized database.
- G. As part of the pre-parole investigation conducted pursuant to PD 06.05.104 "Parole Process," the Agent shall recommend a supervision fee in the amount of \$30.00 per month for individuals placed on supervision without an electronic monitoring device and \$60.00 per month for individuals placed on supervision with an electronic monitoring device. The fee amount shall be multiplied by the number of months ordered but not exceed 60 months. The fee is payable when the parole order is entered, but the fee may be paid in monthly installments if the parole board approves installment payments.

- H. Offenders who transfer their supervision to Michigan under the Interstate Compact shall have the appropriate supervision fee condition added, \$30.00 per month for individuals placed on supervision without an electronic monitoring device or \$60.00 per month for individuals placed on supervision with an electronic monitoring device,

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when the case is accepted for supervision in Michigan. The supervising Agent shall complete the CFJ-180 and have the offender sign it on the offender's first report date. The CFJ-180 shall be sent to the Fee Collection Unit via email (MDOC-Fee-Collection-Unit@michigan.gov). For offenders whose supervision was transferred out of Michigan under an interstate compact, the supervising Agent shall notify the Fee Collection Unit via email (MDOC-Fee-Collection-Unit@michigan.gov) within three business days, of the number of months the offender was supervised in Michigan.

COLLECTION OF FEES

- I. Agents shall direct offenders to make supervision fee payments via the mail using the Payment Voucher. Under the section "Fee Type to Pay," "Supervision" shall be the only selection used. If the offender wants to make payments online, they shall be directed to the following website: <https://michigan.feeservice.com/FC>.

INDIGENCY DETERMINATION

- J. When completing a discharge order for an offender, the supervising Agent shall document whether the offender has been determined indigent or not. The Agent shall also enter a case note into the Department's computerized database to document the offender's indigency determination. Indigency shall be determined by using the current Federal poverty guidelines at the following link: (<https://aspe.hhs.gov/2020-poverty-guidelines-computations>). The offender's income status shall be used at the time of discharge.

OPERATING PROCEDURES

- K. If necessary, to implement requirements set forth in this policy directive, the FOA Deputy Director shall ensure that procedures are developed or updated.

AUDIT ELEMENTS

- L. A Primary Audit Elements List has been developed and is available on the Department's Document Access System (DAS) to assist with the self-audit of this policy, pursuant to PD 01.05.100 "Self-Audits and Performance Audits."

APPROVED: HEW 10/20/2020

